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Duxbury Clipper

Beach Regulations Approved

By KEITH L. MARTIN

After months of heavy debate by citizens and officials, the Conservation Commission has agreed to issue revised regulations for the operation of Duxbury Beach, putting more responsibility on the Harbormaster's Office and the Duxbury Beach Reservation.

The commission's orders of condition — a document that outlines the rules and regulations which the Reservation must follow — was opened earlier this year for revisions by the commission after five years without being reviewed. The result was a great deal of public input on what was perceived to be the commission's move to shut down the beach to recreational vehicles, with many citizens attending public hearings in August and September to voice their opinion.

The orders are unrelated to the recent public hearings held by the town's Beach Committee regarding the sales, number and ratio of resident and non-resident beach stickers. The committee recently told selectmen they would recommend no changes in the way stickers are sold by the town, nor change the 250 resident/250 non-resident sticker ratio.

What was approved at Tuesday night's conservation commission meeting, however, is essentially stronger management procedures for those involved in the beach's operation, according to Conservation Commission Chairman Friend Weiler.

"I think new standard operating procedures give us a standard by which anyone who wants to come in and [dispute a management aspect of the beach], we can say this is how we did it, here's the record," he said. "[The Reservation] is trying, very hard, to live up to the orders and we've just sort of tried to make them codify a little bit more what they claim to be doing on behalf of living up to those orders."

Weiler feels the revised rules will mean more work, but are a necessity.

"There is more of a burden on the beach reservation than there was before and they have to work a little bit harder to satisfy some of the issues, but I think that's what was needed and missing from the last orders," said Weiler.

The new standards of operation for beach management address five issues: monitoring and enforcement of off-road vehicle (ORV) access, monitoring and enforcement of beach use and access, a procedure for emergencies concerning the endangered species program, a procedure for modifications of the

endangered species program and a procedure for notification of on-going activities.

Under the ORV access plan, members of the Harbormaster or Coastal Natural Resources Department must take counts of vehicles at regular intervals beginning at 10 a.m., at least every hour at the discretion of the harbormaster, says the regulation. At busier times, like the summer months, counts will be more frequent, again at the discretion of the harbormaster.

One of the biggest issues in the new regulations regards the presence of plovers on the beach. Under the revised rules, there are specific steps to follow in the event of a "take" on the beach, referring to any harm or disruption of an endangered species or their activity. These steps include contacting seven agencies ranging from the Mass. Environmental Police to the conservation commission and Reservation. These authorities also determine the need, duration and location of any beach closings as a result.

In terms of modifying procedures for the Endangered Species Program, the endangered species officer and other parties that feel changes are needed to the program must document proposed changes and send them to the conservation commission for

review. Under the new procedure, no changes in the program are implemented without the Reservation notifying the conservation commission, the state's Natural Heritage and Endangered Species Program or other authorities for comment first.

"I think the procedures concerning the plovers [was handled] the best way to preserve and protect that endangered species," said Weiler. "I firmly believe these orders do the right thing by the birds and at the same time, make the beach as accessible as it can be for the public."

Several members of the Reservation's Beach Technical Committee were present at Tuesday's meeting and said they were happy with the finalized orders.

"I think it was a very beneficial process," said Al Vautrinot, vice president of the Reservation and co-chairman of the technical committee. "We have a really strong management plan now and I think it will stand up to any appeal we might get."

The conservation commission has 21 days from last Tuesday's meeting to finalize all the paperwork and mail the orders of condition to the Reservation. Anyone can appeal the orders within ten business days after it is put into the mail.